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*Lead Counsel for the
Indirect Purchaser Plaintiffs*

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

Master File No. CV-07-5944-JST;
07-cv-6331-JST

MDL No. 1917

CLASS ACTION

This Document Relates to:
All Indirect Purchaser Actions

**DECLARATION OF LAUREN C. CAPURRO
IN SUPPORT OF INDIRECT PURCHASER
PLAINTIFFS' REQUEST FOR ENTRY OF
DEFAULT AGAINST DEFENDANTS IRICO
DISPLAY DEVICES CO., LTD. AND IRICO
GROUP CORPORATION**

Judge: Honorable Jon S. Tigar
Court: Courtroom 9, 19th Floor

1 I, Lauren C. Capurro, declare:

2 1. I am an attorney duly licensed by the State of California and am admitted to practice
3 before this Court. I am an associate with the law firm Trump, Alioto, Trump & Prescott, LLP and
4 my firm serves as Lead Counsel for the Indirect Purchaser Plaintiffs (“IPPs”) in the above-captioned
5 action. In addition, I am one of the attorneys of record for plaintiff Jeffrey Figone. I make this
6 declaration in support of the IPPs’ Request for Entry of Default Against Defendants Irico Display
7 Devices Co., Ltd. and Irico Group Corporation (the “Irico Entities”). Except where otherwise stated,
8 the matters set forth herein are within my personal knowledge and if called upon and sworn as a
9 witness I could competently testify regarding them.

10 2. On December 13, 2007, plaintiff Jeffrey Figone filed a putative class action complaint
11 on behalf of indirect purchasers of Cathode Ray Tubes (“CRTs”) in which he named the Irico
12 Entities as defendants. *See Figone v. LG Electronics, Inc., et al.*, No. 07-cv-6331-JST, ECF No. 1.

13 3. On January 4, 2008, the Honorable Samuel Conti found that the *Figone* action and
14 other similar actions were related to *Crago, Inc., et al. v. Chunghwa Picture Tubes, Ltd., et al.*, No.
15 07-cv-5944-SC, and ordered that all such cases be reassigned to him and consolidated with the
16 *Crago* action. *See Figone v. LG Electronics, Inc., et al.*, No. 07-cv-6331-JST, ECF No. 3.

17 4. The Judicial Panel on Multidistrict Litigation consolidated the *Crago* and *Figone*
18 actions with other similar actions filed on behalf of direct and indirect purchasers of CRTs as *In re:*
19 *Cathode Ray Tube (CRT) Antitrust Litigation*, MDL No. 1917, Master File No. 07-cv-5944-JST.
20 (ECF No. 122.)

21 5. On August 22, 2008, counsel for the Irico Entities agreed to accept service of process
22 of the *Figone* complaint. (ECF No. 361, ¶ 1.) The parties further agreed that the Irico Entities’ time
23 to answer, move, or otherwise respond to the *Figone* complaint would be extended until after the
24 filing of a Consolidated Amended Complaint on behalf of all indirect purchasers, as set forth in the
25 Stipulation and Order Re Extension Of Time For Defendant To Respond To Complaint, dated
26 December 19, 2007 (ECF No. 16). (ECF No. 361 at ¶ 2.)

27 6. Pursuant to Court Order (ECF No. 379), the IPPs filed a Consolidated Amended
28 Complaint (“CAC”) on March 16, 2009 and served it on the Irico Entities. (ECF No. 437.) On May

1 18, 2009, the Irico Entities, along with other defendants, filed a Joint Motion to Dismiss IPPs' CAC.
2 (ECF No. 485.)

3 7. On March 30, 2010, the Court denied defendants' Joint Motion to Dismiss and
4 ordered defendants (including the Irico Entities) to answer IPPs' complaint within 30 days. (ECF
5 No. 665.) The time limit for the Irico Entities to answer IPPs' CAC was April 29, 2010. The Irico
6 Entities did not file or serve an answer to IPPs' CAC.

7 8. IPPs filed a Second CAC on May 10, 2010 and served it on the Irico Entities. (ECF
8 No. 716.) Pursuant to Stipulated Order (ECF No. 725), all Defendants were to file a Joint Motion to
9 Dismiss the Second CAC by June 25, 2010. However, on June 23, 2010, counsel for the Irico
10 Entities (Pillsbury Winthrop Shaw Pittman, LLP) moved to withdraw from the litigation because the
11 Irico Entities had requested that Pillsbury cease its representation of them. (ECF Nos. 729, 730.)
12 Pursuant to Civil Local Rule 11-5(b), the Court conditioned Pillsbury's withdrawal upon it
13 "continu[ing] to accept service of papers for the Irico Entities for forwarding purposes until
14 substitute counsel appears on behalf of the Irico Entities." (ECF No. 732.) The Irico Entities never
15 filed or served an answer or otherwise responded to the IPPs' Second CAC, and no substitute
16 counsel has ever appeared on behalf of the Irico Entities.

17 9. Pursuant to the Court's Order Granting Pillsbury's Motion for Leave to Withdraw
18 (ECF No. 732), Pillsbury accepted service of IPPs' two subsequent CACs (ECF Nos. 827, 1526) on
19 behalf of the Irico Entities. The Irico Entities have never filed or served an answer or otherwise
20 responded to the IPPs' Third CAC or Fourth CAC.

21 I declare under penalty of perjury under the laws of the United States that the foregoing is
22 true and correct. Executed this 20th day of July 2016, at San Francisco, California.

23
24 /s/ Lauren C. Capurro
Lauren C. Capurro